

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 148 of 1983

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.THAKKER and  
MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

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M. S. GODHRAWALA

Versus

DY. DIRECTOR OF MEDICAL SERVICES

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Appearance:

MR VJ DESAI for Petitioners  
M/S A & D for Respondent No. 1  
SERVED for Respondent No. 3

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CORAM : MR.JUSTICE C.K.THAKKER and  
MR.JUSTICE M.S.PARIKH  
Date of decision: 16/04/96

ORAL JUDGEMENT

Mr.V.J.Desai, learned counsel for the appellants does not press this appeal qua appellant No.2 Mrs. J.R.Patel, appellant no.3 Mrs. R.B.Kadakia and appellant

no.5 Miss G.B.Machhi on the ground that qua those appellants the order does not survive.

The order impugned in the present proceedings is order of transfer which was passed as early as on April 15, 1983. The learned Assistant Government Pleader states that the said order will not be implemented. The learned counsel for the appellants in view of the above statement submits that the appeal has become infructuous and requires to be disposed of. We express no opinion on merits of the matter. It is open to the authorities to pass fresh order of transfer, if so required. Appeal disposed of. No costs.

Dt. 16.4.1996. (C.K.THAKKER J.)

(M.S.PARIKH J.)